

REMARKS

The Official Action mailed July 6, 2005, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

Claims 1-6 were pending in the present application prior to the above amendment. Claims 1-6 have been canceled, and new independent claims 7-9 have been added to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraphs 1-6 of the Official Action reject claims 1-6 as anticipated by U.S. Patent No. 6,594,740 to Fukuda. As noted above, claims 1-6 have been canceled, and new claims 7-9 have been added. The Applicant respectfully submits that an anticipation rejection cannot be maintained against independent claims 7-9 of the present application.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claims 7 and 9 recite means contained in a control apparatus for extracting title information from acquired disk information of a target reproduction disk and for transferring the extracted title information to a recording/reproducing apparatus in response to a completion of a recording of one piece of music (or music data) in the recording/reproducing apparatus. In other words, claims 7 and 9 recite that title information is transferred from a control apparatus to a recording/reproducing apparatus after recording of one piece of music (or music data) is completed. These features bring the specific technical advantage that it is possible to prevent a discrepancy between the recorded music track and the title information. For example, in a case

where the title information is transferred prior to the recording of the music data, if the recording is stopped halfway, only the title remains. These features are supported in the specification, for example, at page 23, lines 1-13.

Independent claim 8 recites means contained in a control apparatus, the means operating to extract title information from acquired disk information of a target reproduction disk, to edit the extracted title information to instruct a recording/reproducing apparatus to record music data after completing the editing, and to transfer the edited title information to the recording/reproducing apparatus in response to completion of recording of music data in the recording/reproducing apparatus. In other words, claim 8 recites that recording of music data is started after completing the editing of title information. These features ensure that edited title information is recorded. If the recording of the music data is performed earlier than that of the title data, additional work may be needed to modify the title data on the recording medium. These features are supported in the specification, for example, at page 22, lines 9-15 and page 27, lines 4-16.

Further, independent claim 9 recites transferring text data acquired from a target reproduction disk to a control apparatus and means contained in the control apparatus for editing the text data. In other words, claim 9 recites that text information acquired from the disk is transferred to the control apparatus for the purpose of editing the text information. These features allow the text data from the disk to be properly edited. These features are supported in the specification, for example, at page 14, line 24 to page 15, line 16.

The claims have also been amended to remove features which are not believed to be critical to the patentability of the claims.

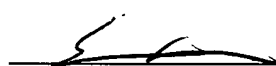
The Applicant respectfully submits that Fukuda does not teach the above-referenced features of the present invention, either explicitly or inherently.

Since Fukuda does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly,

reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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